

FILED

UNITED STATES COURT OF APPEALS

AUG 18 2015

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LYCURGAN, INC., a California
Corporation, DBA Ares Armor,

Plaintiff - Appellant,

v.

TODD JONES, in his official capacity as
Director of the Bureau of Alcohol,
Tobacco, and Firearms Enforcement,

Defendant - Appellee.

No. 15-55228

D.C. No. 3:14-cv-01679-JLS-BGS
Southern District of California,
San Diego

ORDER

The district court docket reflects that, on June 11, 2015, the district court granted appellant leave to file a first amended complaint. Appellant did not timely notify this court of that decision, as required by the March 5, 2015 order. The stay of these proceedings is lifted.

As a result of the district court's June 11, 2015 order, appellant's first amended complaint remains pending in the district court. Accordingly, within 21 days after the date of this order, appellant shall move for voluntary dismissal of this appeal or show cause why it should not be dismissed for lack of jurisdiction. *See* Fed. R. Civ. P. 54(b); *Chacon v. Babcock*, 640 F.2d 221 (9th Cir. 1981). If

appellant elects to show cause, a response may be filed within 10 days after service of the memorandum.

If appellant does not comply with this order, the Clerk shall dismiss this appeal pursuant to Ninth Circuit Rule 42-1.

Briefing remains suspended pending further order of the court.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Seung Lee
Deputy Clerk